

U.S. PATENT & TRADEMARK OFFICE  
JUN 06 2003

MP/1645

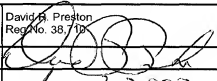
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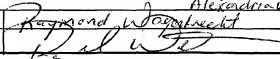
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/648,081	
	Filing Date	August 25, 2000	
	First Named Inventor	WANG et al	
	Art Unit	1645	
	Examiner Name	To be determined	
Total Number of Pages in This Submission	8	Attorney Docket Number	ART-00101.P.1

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TECH CENTER 1600/2900

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks 1. Submission of declaration 2. Declaration 3. Postcard		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	David B. Preston Reg. No. 38,710
Signature	
Date	June 2, 2003

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>June 2, 2003</u>			
Typed or printed	<u>Raymond W. Joyntrecht</u>	Alexandria, VA 22313	<u>June 2, 2003</u>
Signature		Date	<u>6/2/2003</u>

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/BI/17 (01-03)  
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Approved for use through 04/30/2003. OMB 0851-0032  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

# **FEE TRANSMITTAL** **for FY 2003**

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$) **65.00**

## **Complete if Known**

Application Number 09/648,081  
 Filing Date August 25, 2000  
 First Named Inventor WANG, Guoqing  
 Examiner Name LU, Frank Wei Min  
 Art Unit 1634  
 Attorney Docket No. ART-00101.P.1-US

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## **METHOD OF PAYMENT (check all that apply)**

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number 501321  
 Deposit Account Name David R. Preston

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## **FEE CALCULATION (continued)**

### **3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(a)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) **65.00**

## **FEE CALCULATION**

### **1. BASIC FILING FEE**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 180	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$)</b> <b>0.00</b>

### **2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Extra Claims	Fee from below	Fee Paid
Total Claims -20** =	X	
Independent Claims -3** =	X	
Multiple Dependent		

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 84	2201 42	Independent claims in excess of 3	
1203 280	2203 140	Multiple dependent claim, if not paid	
1204 84	2204 42	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$)</b> <b>0.00</b>

\*\*or number previously paid, if greater. For Reissues, see above

## **SUBMITTED BY**

Name (Print/Type) David R. Preston  
 Signature [Signature]

Registration No. (Attorney/Agent) 38,710

## **(Complete if applicable)**

Telephone 858-734-0375  
 Date June 2, 2003

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**  
 This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

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Patent  
Docket Number: ART-00101.P.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: )  
 )  
Wang et al. )  
 )  
Application No.: 09/648,081 )  
 )  
Filed: August 25, 2000 )  
 )  
For: METHODS AND )  
COMPOSITIONS FOR IDENTIFYING )  
NUCLEIC ACID MOLECULES USING )  
NUCLEOTLYTIC ACTIVITIES AND )  
HYBRIDIZATION )  
 )

Examiner: To be determined

Art Unit: 1645

Commissioner for Patents  
Alexandria, VA 22313

Sir:

SUBMISSION OF SIGNED DECLARATION

Applicants hereby submit a signed declaration for the above referenced US patent application. Applicants submit this declaration after the initial filing and enclose the fee of \$65.00 pursuant to 37 CFR 1.16(e).

It is respectfully requested that the attached postcard be stamped and returned as soon as possible.

06/09/2003 HNDHAWA1 00000020 09648081

01 FC:2051

65.00 US

Please apply any charges not covered, or any credits, to Deposit Account 501321 in the name of David R. Preston & Associates having Customer No.: 24232.

Date:

*June 2, 2003*

Respectfully submitted,



David R. Preston  
Reg. No. 38,710

David R. Preston & Associates, A.P.C.  
12625 High Bluff Drive  
Suite 205  
San Diego, CA 92130

Telephone: 858.724.0375  
Facsimile: 858.724.0384



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<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)</b>	Attorney Docket Number:	ART-00101.P.1
	First Named Inventor:	Guoqing Wang
	<b>COMPLETE IF KNOWN</b>	
	Application Number:	09/648,081
	Filing Date:	August 25, 2000
<input type="checkbox"/> Declaration Submitted with Initial Filing, OR	Group Art Unit:	1634
<input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e) required)	Examiner:	Lu, Frank Wei Min

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Methods and Compositions for Identifying Nucleic Acid Molecules Using Nucleolytic Activities and Hybridization

the specification of which

☐ is attached hereto

OR

☒ [X] was filed on August 25, 2000 as United States Application Number 09/648,081 or PCT International Application Number \_\_\_\_\_ and was amended \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date	Certified Copy Attached?	
			YES	NO
00123633.4	People's Republic of China	August 24, 2000		X
[ ] Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:				

I hereby claim the benefit under 35 U.S.C. 119(c) of any United States provisional application(s) listed below:		
<b>Application Number(s)</b>	<b>Filing Date</b>	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application		
<b>U.S. Parent Application or PCT Parent Number</b>	<b>Parent Filing Date</b>	<b>Parent Patent Number (if applicable)</b>
<input type="checkbox"/> Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet PTO/SB/02B		

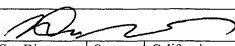
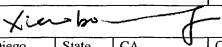
As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected herewith:			
<input checked="" type="checkbox"/> Customer Number <u>24232</u> OR <input type="checkbox"/> Registered practitioner(s) name/registration number listed below:			
<b>Name</b>	<b>Registration Number</b>	<b>Name</b>	<b>Registration Number</b>
David R. Preston	38,710	Liz Orr	45,937
<input type="checkbox"/> Additional registered practitioner(s) named on supplemental Registered Practitioner Information sheet PTO/SB/02C attached hereto.			

Direct all correspondence to: [X] Customer Number 24233 or Bar Code Label [Attached Bar Code Label] OK [ ] Correspondence address below:					
Name	David R. Preston & Associates				
Address	David R. Preston				
Address	12625 High Bluff Dr., Suite 205				
City	San Diego	State	California	Zip Code	92130
Country	USA	Telephone	858.724.0375	Facsimile	858.724.0384

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

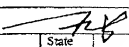
NAME OF SOLE OR FIRST INVENTOR				<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle, if any)				Family Name or Surname	
Guoqing				Wang	
Inventor's Signature	Guoqing Wang				Date
Residence: City	Beijing	State		Country	People's Republic of China
				Citizenship	People's Republic of China
Post Office Address	Jia #2, Qinghua West Road Haidian District Beijing People's Republic of China				
[X] Additional Inventors are being named on the 2 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.					

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S) SUPPLEMENTAL SHEET PAGE 1 OF 2</b>
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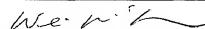
<b>NAME OF ADDITIONAL INVENTOR</b>					<input type="checkbox"/> A petition has been filed for this unsigned inventor			
Given Name (first and middle, if any)					Family Name or Surname			
Lei					Wu			
Inventor's Signature						Date	5/6/03	
Residence: City	San Diego	State	California	Country	USA	Citizenship	USA	
Post Office Address	10563 Whispering Hill Ln							
City	San Diego	State	CA	Zip Code	92130	Country	USA	
Xiaobo				Wang				
Inventor's Signature						Date	05/06/03	
Residence: City	San Diego	State	CA	Country	USA	Citizenship	People's Republic of China	
Post Office Address	11684 Springslide Road							
City	San Diego	State	CA	Zip Code	92128	Country	USA	



DECLARATION	ADDITIONAL INVENTOR(S) SUPPLEMENTAL SHEET PAGE 2 OF 2
-------------	---

Jing				Cheng			
Inventor's Signature						Date	Apr. 130, 2003
Residence: City	Beijing	State		Country	People's Republic of China	Citizenship	People's Republic of China
Post Office Address	Suite 506, Building 2 Langyiyang, Haidian District						
City	Beijing	State		Zip Code	10084	Country	People's Republic of China
WeiPing				Yang			
Inventor's Signature						Date	
Residence: City	San Diego	State	California	Country	USA	Citizenship	USA
Post Office Address	7649 Monte Lane						
City	San Diego	State	California	Zip Code	92130	Country	USA

<b>DECLARATION</b>	<b>ADDITIONAL INVENTOR(S) SUPPLEMENTAL SHEET PAGE 2 OF 2</b>
--------------------	--

Jing				Cheng			
Inventor's Signature						Date	
Residence: City	Beijing	State		Country	People's Republic of China	Citizenship	People's Republic of China
Post Office Address	Suite 506, Building 2 Lanqiying, Haidian District						
City	Beijing	State		Zip Code	10084	Country	People's Republic of China
WeiPing				Yang			
Inventor's Signature						Date	
Residence: City	San Diego	State	California	Country	USA	Citizenship	USA
Post Office Address	7649 Mona Lane						
City	San Diego	State	California	Zip Code	92130	Country	USA